

REMARKS

In response to the Office Action dated March 13, 2007, claims 1-4 have been amended. Claims 1-4 are now active in this application. No new matter has been added.

OBJECTION TO CLAIM 1

The Examiner has objected to claim 1 since it is not clear what "...on the basis of a folder structure pre-standardized between the transmission origin apparatus and a transmission destination apparatus" pertains to.

In this regard, attention is directed to page 8, lines 2-18 and page 9, lines 7-13. In this regard, page 8, lines 11-12 describe that the identifying file is detected and recognized as the identifying file of the transmission origin. To expedite prosecution, the two consecutive paragraphs beginning at page 8, line 11 have been amended to more clearly and correctly describe this subject matter. Thus, these amended paragraphs describe:

As a result, when the detected and file-analyzed identifying file 45 is recognized as the identifying file 45 of the transmission origin, ***on the basis of the file storage folder structure 41, which has been preset for the information transmission system 1, the copy application software 62, provided in the PC 30, is automatically activated by the previously described monitoring resident software 61.***

Specifically, when the digital still camera main body 11 is connected to the PC 30 on the basis of the USB connection between the digital still camera 11 and the PC 30 using the USB cable 51, all of ***root folder 42 and subfolders 43 included in the hierarchical folder structure saved in the memory card device 40, as well as the file groups 46 and 46 in any subfolder 43,*** can be viewed on the PC 30.

The above amended description includes what has been recited in originally filed claim 1 and thus, does not include new matter. It is believed that the amended description clearly delineates what occurs.

To expedite prosecution, independent claim 1 has been amended for consistency with this description. Thus, amended independent claim 1 recites, *inter alia*:

...
identifying file generating means in the transmission origin storage means for generating an identifying file having a unique structure used to identify the transmission origin and the file to be transmitted, identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin.

Thus, in amended independent claim 1, an identifying file generating means in the transmission origin storage means is for generating an identifying file having a unique structure that is used to identify the transmission origin as well as the file to be transmitted, with the identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin.

In view of the above, withdrawal of the objection to claim 1 is respectfully solicited.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1-4 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Tanaka et al. (US Publication 2001/0048534).

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the identical disclosure in a single reference of each element of a claimed invention such that the identically claimed invention is placed into possession of one having ordinary skill in the art. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F.3d 1339, 200 U.S. App. LEXIS 6300, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994).

Amended independent claim 1 requires, *inter alia*:

identifying file generating means in the transmission origin storage means for generating an identifying file having a unique structure used to identify the transmission origin and the file to be transmitted, identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin.

The present application is concerned with making it possible to easily recognize that files stored in diverse apparatus of an information transmission system are stored based on the same system so that files can be copied from one of the diverse apparatus to another of the diverse apparatus without a complicated system. The manner in which this is done is to have the memory/storage device of the diverse apparatus have a folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin. When the

identifying file is recognized as the identifying file of the transmission origin, copy software is then activated so that the files, other than the identifying file, can be copied to the memory/storage device of the diverse apparatus. This provides a simple mechanism for storing and copying files among diverse apparatus.

While Tanaka et al. transfers (image) files between diverse apparatus, the reference is not concerned with the mechanics of how the different diverse apparatus recognize that the files in the diverse apparatus *are stored based on the same system*. Thus, Tanaka et al. has NO disclosure of:

...
identifying file generating means in the transmission origin storage means for generating an identifying file having a unique structure used to identify the transmission origin and the file to be transmitted, identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin.

In particular, Tanaka et al. does not disclose or suggest that identification of the transmission origin and the file to be transmitted is made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify an identifying file contained in the folder structure and having the unique structure used to identify the transmission origin.

To expedite prosecution, independent claim 2 has been amended to recite, *inter alia*:

monitoring means for detecting that a folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a folder structure that has been pre-standardized for the transmission origin apparatus and

the transmission destination apparatus of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin...

In addition, independent claim 3 has been amended to recite, *inter alia*:

identifying file generating means for generating, in the transmission origin storage system, an identifying file having a unique structure used to identify the transmission origin, in addition to the file to be transmitted, identification of the transmission origin and the file to be transmitted being made on the basis of a folder structure that has been pre-standardized for the transmission origin apparatus and a transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin,...

monitoring means for detecting that a folder structure in the transmission origin storage means provided in the transmission origin apparatus matches the folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus of the information transmission system in order to identify the identifying file contained in the folder structure and having the unique structure used to identify the transmission origin...

Finally, independent claim 4 has been amended to recite, *inter alia*:

an identifying file monitoring step of detecting that the folder structure in said transmission origin storage means detected in the folder structure detecting step is a folder structure that has been pre-standardized for the transmission origin and the transmission destination of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin...

Tanaka et al. does not disclose or suggest, *inter alia*, a folder structure that has been pre-standardized for the transmission origin apparatus and the transmission destination apparatus of the information transmission system in order to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin. Consequently,

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amended independent claims 1-4 are patentable over Tanaka et al. and their allowance is respectfully solicited.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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